

ATTACHMENTS-D

- State of Delaware
- County of New Castle

SS.

Affidavit of: Kenny F. Reeder

Dated: February 5, 2007

AFFIDAVIT

I, Kenny F. Reeder, being first duly sworn deposes & says that the foregoing statement is true & correct under the laws of the State of Delaware & penalty of Perjury.

1. On November 26, 2004, I was present on A-tier in building #22 when inmate Shane Hopkins was assaulted, choked by C.O. J. Smith & C.O. Pusey.

2. I seen both C.O.'s (Pusey & Smith) take turns punching inmate Hopkins in his mid section & legs while he was on the floor under the window's at top of stairs. Inmate Hopkins is a little guy and both C.O.'s were well over two hundred (200) pounds. He did not resist at all.

3. When Shane was on the floor, he turned onto his stomach & placed his hands on his back, that is considered a non-threatening gesture.

4. C.O. Pusey got on Shane's back with both knees on his arms while C.O. Smith repeatedly punched Shane (what looked like) in his face. This whole time C.O. Smith was cursing towards Shane thru clenched teeth.

5. C.O. Pusey then started choking Shane to the point where he may have passed out. What made me think this is because Shane looked

lifeless laying on the floor.

6. I then seen Sgt. Outten and a few others come on the tier & C.O. Smith Commanded Sgt. Outten to "Spray" (Capstun) Shane in which he did. Shane was then handcuffed & Picked up to his feet, & told to face the corner of the two (2) walls.

7. C.O. Smith smacked Shane acrossed the back of his head a few times & it appeared the force of the smack made his face hit the wall. I was then ordered to lock-in, once the C.O.'s noticed some guys (inmates) were out watching, we were ordered to lock-in.

8. As Shane was escorted off the tier C.O. Smith had his hands around Shane's neck as if he was showing off his Prize.

9. I looked out my window & watched Shane Practically been drus up the sidewalk. C.O. Smith & Pusey had Shane's arms so high up his back that it forced him / his body into a "L" shape with his head sticking out forward.

10. It appeared that when Shane reached the entrance of building # 24, his head was rammed into the structure (wall).

Declarant: Kenny Reeder
(28 U.S.C. 1746 & 18 U.S.C. 1621)
#253949, 1181 Paddock Rd. D.C.C.
Smyrna, DE. 19977

AFFIDAVIT

I, Christopher Desmond, being first duly sworn deposes and says that the foregoing statement is a true and correct observation of what occurred on the above date herein at in Building 22 MHU located in the Delaware Correctional Center, Smyrna, Delaware, in that I was a part of or witnessed the incident described herein. I would clearly state under penalty of perjury of the laws of the State of Delaware.

ON 11-26-04 I was in my cell on A-Tier cell A-U-7 in Building 22 when at approx. 3:00 PM C/O Pussay handed inmate S. Hopkins a Bag at which time inmate Hopkins look like he stepped out of his cell to review the inside of the Bag, C/O Pussay then pushed inmate Hopkins to the Floor and looked from my view like he was hitting him in the head, shortly thereafter C/O Smith came up and jumped on inmate Hopkins along with C/O Baker and several other C/O's I don't know their names. They then drug inmate Hopkins down too the First Floor and outside of A-Tier. Inmate Hopkins looks to be 5 feet 5 at most while the C/O Pussay and Smith are at least 6 feet and Plus 200 lbs each, inmate Hopkins was handcuffed at this time therefore little resistance could have been offered by inmate Hopkins, to justify such force shown by officers at this time.

Affiant

Christopher R. Desmond

Signature

Christopher R. Desmond

Print Name

Delaware Correctional Center

Smyrna, Delaware 19977

SWORN TO AND SUBSCRIBED before me this 6 day of Feb 2007

My Commission Expires:

None at this time

Notary Public

Therm print of left hand

STATE OF DELAWARE)
COUNTY OF New Castle) SS

AFFIDAVIT OF: Craig C. Nelson
DATED: _____

AFFIDAVIT

I, Craig Nelson, being first duly sworn deposes and says that the foregoing statement is a true and correct observation of what occurred on the above date herein at/in Building 22 A-Tier located in the Delaware Correctional Center, Smyrna, Delaware, in that I was a part of or witnessed the incident described herein. I would clearly state under penalty of perjury of the laws of the State of Delaware.

I was housed in Cell #7 on A-Tier in building 22 on 11-26-04 when Inmate Shane Hopkins was attacked and strangled by C.O. Pusey and C.O. J. Smith.

From my advantage point I saw when C.O. Pusey pushed I/m Hopkins over his property bags and immediately jumped on I/m Hopkins and began strangling him. Inmate Hopkins is very small compared to C.O. Pusey, so to struggle was pointless. My cell mates radio was on so I couldn't hear what was being said. But C.O. Smith showed up and jumped on I/m Hopkins too, strategically punching and elbowing him. C.O. Baker came in and stepped on his legs. Sgt. _____ walked in shaking the can of Mace and sprayed I/m Hopkins after he was already subdued. Minutes later C.O. Smith dragged I/m Hopkins down the steps and passed my door choking him.

Affiant: Craig Nelson

Signature

Craig C. Nelson

Print Name

Delaware Correctional Center
Smyrna, DE. 19977

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__.

My Commission Expires:

Notary Public

STATE OF DELAWARE)
COUNTY OF New Castle) SS

AFFIDAVIT OF: Colbert Shannonhouse
DATED: MARCH 27th 2007

AFFIDAVIT

I, Colbert Shannonhouse, being first duly sworn deposes and says that the foregoing statement is a true and correct observation of what occurred on the above date herein at/in 22 mth located in the Delaware Correctional Center, Smyrna, Delaware, in that I was a part of or witnessed the incident described herein. I would clearly state under penalty of perjury of the laws of the State of Delaware. I WAS LIVING ON 22 A TIENT

Lower 8 And I clearly SAW what happen on 11-26-04, I WAS standing in my door window the whole time the situation happen. What I saw WAS IM/Hopkins being bullied, punch and Kneed for no reason by CO/Smith and CO/Pusey there was some reason that inmate Hopkins had to move from Lower 10. to upper 12 and when officers told him IM/Hopkins where he was going He told officers that some thing was going to happen if He goes into that celly a fight might happen! Then out of nowhere CO/Smith started Choking him I saw Smith both Hitting him and pushing his Face in to the wall once on the ground the beating got worse. I saw CO/Smith Face He was like a Beast. He was shouting and saying He Hated this pussy then CO/Pusey WAS on his back with both knees by that time another CO come on the tier so they took him off then I heard people in my vent saying they CO/ was still Fucking him up look out the window and they CO/Smith and CO/Pusey WAS running his head into the door of bld 24 then I have not seen him since.

Affiant: Colbert Shannonhouse

Signature

Colbert Shannonhouse

Print Name

Delaware Correctional Center
Smyrna, DE. 19977

SWORN TO AND SUBSCRIBED before me this 27 day of MARCH, 2007

My Commission Expires:

Notary Public